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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,622	05/15/2001	Makoto Fujieda	1095.1186	8012

21171 7590 12/02/2004

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EXAMINER

MUHEBBULLAH, SAJEDA

ART UNIT PAPER NUMBER

2174

DATE MAILED: 12/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/854,622

Applicant(s)

FUJIEDA, MAKOTO

Examiner

Sajeda Muhebbullah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. This communication is responsive to Amendment filed 7/09/2004.
2. Claims 1 and 3-12 are pending in this application. Claims 1 and 10-12 are independent claims. In the Amendment, claims 1, 3-4, and 6-11 were amended, claim 2 was cancelled and claim 12 was added. This action is made Final.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3, 5-7, and 10-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Kellstrom ("Kellstrom", US 6,088,625).

As per independent claim 1, Kellstrom teaches a computer readable recording medium storing a program for causing a computer to perform the steps of:

causing a unit to be displayed on the basis of assembly data and parts data in response to a display request, the parts data including data about shapes of parts and version information about versions of the parts, the assembly data defining a structure of the unit formed by one or more parts (Kellstrom, col. 6, lines 34-38; col. 10, lines 47-54) ; and

assigning the version information about all parts that form the unit displayed to the assembly data (Kellstrom, col. 6, lines 21-33), where the version information is assigned to the

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assembly data when the assembly data and parts data of the unit displayed are stored in a storage unit (Kellstrom, col. 6, lines 21-33).

Independent claims 11-12 are similar in scope to claim 1, and are therefore rejected under similar rationale.

As per claim 3, which is dependent on claim 1, Kellstrom teaches the computer readable recording medium as claimed in claim 1, wherein:

the parts data includes those of different versions (Kellstrom, col. 2, lines 50-54); and causing the unit to be displayed on the basis of assembly data and parts data includes acquiring parts data of a version that is the same as that assigned to the assembly data in response to the display request and causes the unit based on the parts data thus acquired to be displayed (Kellstrom, col. 7; lines 59-67 and col. 8, lines 1-4).

As per claim 5, which is dependent on claim 1, Kellstrom teaches the computer readable recording medium as claimed in claim 1, wherein part of the parts data is sub-assembly data that defines a sub-unit formed by one or more other parts (Kellstrom, col.9, lines 29-32).

As per claim 6, which is dependent on claim 5, Kellstrom teaches the computer readable recording medium as claimed in claim 5, further comprising:

causing the sub-unit defined in the sub-assembly data specified in the display request to be displayed (Kellstrom, col. 9, lines 41-59); and

assigning version information about the parts that form the sub-unit displayed to the sub-assembly data specified in the display request (Kellstrom, col. 9, lines 41-59). In Kellstrom, the ability to update a specific part within a subassembly allows for the sub-unit to be assigned version information.

As per claim 7, which is dependent on claim 5, Kellstrom teaches the computer readable recording medium as claimed in claim 5, further comprising updating, in response to an at-registration information updating request, the version information about the assembly data and the sub-assembly data having a lower structure with respect to the assembly data to latest versions thereof (Kellstrom, col. 9, lines 41-59).

As per independent claim 10, Kellstrom teaches a CAD data management apparatus managing CAD data, comprising:

data storage means for storing parts data including data about shapes of parts and version information about versions of the parts, the assembly data defining a structure of a unit including one or more parts (Kellstrom, col. 6, lines 21-33);

display control means for acquiring, in response to a display request, the assembly data and the parts data of the parts that form a unit from the data storage means and causing the unit defined in the assembly data to be displayed (Kellstrom, col. 6, lines 34-38; col. 10, lines 47-54);
and

version information assigning means for assigning the assembly data the version information about all parts that form the unit displayed by the display control means, (Kellstrom, col. 6, lines 21-33), where the version information is assigned to the assembly data when the assembly data and parts data of the unit displayed are stored in a storage unit (Kellstrom, col. 6, lines 21-33).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 8 and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kellstrom.

As per claim 8, which is dependent on claim 1, Kellstrom does not specifically teach the computer readable recording medium as claimed in claim 1, further comprising assigning initialized version information to a copy of the assembly data when the copy of the assembly data is made.

However, OFFICIAL NOTICE is given that when a copy of a data file is produced, all of the information about the data file, i.e. header information, is copied as well. In this case of a part, assembly, or other CAD object would include version information. Therefore, it would have been obvious to one skilled in the art at the time of invention to include the feature of copying a document/product along with all of its header information because it would increase productivity by not requiring the user to recreate identical information more than once.

As per claim 9, which is dependent on claim 1, Kellstrom does not specifically teach the computer readable recording medium as claimed in claim 1, further comprising diverting, when the assembly data used to form a first product is diverted to a second product, the version information about the assembly data of the first product to diverted assembly data of the second product.

However, OFFICIAL NOTICE is given that editing a copy of an original document to produce a new document is well known in the art. Therefore, it would have been obvious to one skilled in the art at the time of invention to include the feature of allowing a copy to be edited to produce a new document/product because it would increase productivity by not requiring the user to recreate identical information more than once.

7. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kellstrom in view of Beppu et al. ("Beppu", US 5,777,877).

As per claim 4, which is dependent on claim 3, Kellstrom fails to teach the computer readable recording medium as claimed in claim 3, further comprising causing the parts of the unit to be emphatically displayed on the basis of parts data of a version different from a latest version when the display request is directed to states of parts at registration of the parts data.

Beppu, however, teaches showing the correspondence between parts before and after a recomposition of assemblies. This correspondence includes listing a part as "NEW" or "OLD" based on the parts version number (Beppu, col. 7, lines 59-67 and col. 8, lines 1-5).

It would have been obvious to one skilled in the art at the time of invention to include the latest version identification of Beppu in the CAD system of Kellstrom because it would increase productivity by ensuring the user knows the version of each part in a given assembly.

Response to Arguments

8. Applicant's arguments filed 7/9/2004 have been fully considered but they are not persuasive.

Applicant argued the following:

a) Kellstrom does not teach displaying a unit based on assembly data and parts data where the parts data includes data about shapes of parts and version information about versions of the parts.

b) Kellstrom does not teach part data including sub-assembly data that defines a sub-unit formed by one or more other parts.

c) The features recited in claims 8-9 refer to parts forming an assembly where the assembly data defines the structure of a unit. Thus, the rejection based on the OFFICIAL NOTICE is hereby traversed.

d) Regarding claim 4, none of the cited references disclose CAD data management system and method that displays assembly data and parts data in response to a display request where the parts data includes data about shapes of parts and version information about versions of the parts, the assembly data defining a structure of the unit formed by one or more parts.

The Examiner disagrees for the following reasons:

Per a) and d), Kellstrom teaches version information about the assembly (col.6, lines 9-33) which indicates that this is information about the version of the parts as well.

Per b) and d), Kellstrom clearly does indicate teaching the assembly of parts (col.9, lines 29-32).

Per c), as stated when a copy of data is produced it is well known for the information about the original data to carry over to the copy as seen in Windows NT Explorer (*Data 1 on page 3 includes properties of the original which is transferred over to the copy as seen in Data 2 on page 4*). Examiner uses OFFICIAL NOTICE to teach the limitation of assigning and diverting information from an original source to a second source. In response to applicant's

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arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Communications

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sajeda Muhebbullah whose telephone number is (571) 272-4065. The examiner can normally be reached on Tuesday/Thursday from 8:00 am to 4:30 pm (EST) and on alternate Mondays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (571) 272-4063.

The fax number for the organization where this application or proceeding is assigned are as follows:

(703) 746-7238 [After Final Communication]

(703) 872-9306 [Official Communication]

(703) 746-9915 [For status inquiries, Draft Communication]

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Sajeda Muhebbullah
Patent Examiner
Art Unit 2174


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